

Senate Study Bill 1130 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON KAPUCIAN)

A BILL FOR

1 An Act relating to record retention by licensed motor vehicle
2 recyclers, and making a penalty applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321H.4A, Code 2017, is amended to read
2 as follows:

3 **321H.4A National motor vehicle title information system —**
4 **record retention.**

5 1. A vehicle recycler licensed under [this chapter](#) and
6 subject to the requirements of [28 C.F.R. §25.56](#) shall register
7 with the national motor vehicle title information system.

8 2. *a.* Except as provided in paragraph “*b*”, for any vehicle
9 subject to registration under [chapter 321](#) purchased by a
10 vehicle recycler licensed under [this chapter](#) and subject to the
11 requirements of [28 C.F.R. §25.56](#), the vehicle recycler shall
12 comply with the reporting requirements of [28 C.F.R. §25.56](#)
13 within two business days of purchasing the vehicle. Records of
14 the vehicle recycler’s compliance shall be kept by the vehicle
15 recycler for at least three years after the purchase of the
16 vehicle, and shall be open for inspection by any peace officer
17 during normal business hours. The department shall adopt rules
18 to implement [this section](#), including but not limited to rules
19 requiring the submission and retention of records not required
20 by [28 C.F.R. §25.56](#).

21 *b.* Paragraph “*a*” does not apply to a vehicle that has
22 been crushed or flattened by mechanical means in such a way
23 that it no longer resembles the vehicle described by the
24 certificate of title if the vehicle recycler who purchased the
25 vehicle verifies that the seller of the vehicle has met the
26 requirements of paragraph “*a*”. The department shall adopt rules
27 relating to the form of the verification, and the manner in
28 which the verification shall be retained.

29 3. A vehicle recycler licensed under this chapter that sells
30 a motor vehicle with a salvage certificate of title or junking
31 certificate shall retain for three years after the sale of the
32 vehicle an electronic record of all of the following:

33 *a.* The vehicle’s make, model, model year, vehicle
34 identification number, and, if available, current odometer
35 reading.

1 b. The name and address of the purchaser.

2 c. The purchaser's unique number issued to the purchaser
3 through the national motor vehicle title information system,
4 or if the purchaser has not been issued such a number, the
5 purchaser's driver's license or nonoperator's identification
6 card number.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill requires a licensed vehicle recycler that sells
11 a vehicle with a salvage certificate of title or junking
12 certificate to retain for three years after the sale of
13 the vehicle an electronic record of the vehicle's make,
14 model, model year, vehicle identification number, and, if
15 available, current odometer reading; the name and address of
16 the purchaser; and the purchaser's unique number issued to the
17 purchaser through the national motor vehicle title information
18 system, or if the purchaser has not been issued such a
19 number, the purchaser's driver's license or nonoperator's
20 identification card number. By operation of law, a violation
21 of these provisions is a simple misdemeanor punishable by
22 a fine of not less than \$250 nor more than \$1,500 or by
23 imprisonment not to exceed 30 days.